



February 24, 2010
Via ECFS Transmission

Marlene H. Dortch, Commission Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW, Suite TW-A325
Washington, D.C. 20554

RE: EB Docket No. 06-36
2009 CPNI Certification for Ernest Communications, Inc.

Dear Ms. Dortch:

In accordance with Federal Communications Commission's Enforcement Advisory No. 2010-01, DA 10-91, EB Docket No. 06-36, released January 15, 2010 and pursuant to 47 C.F.R. § 64.2009(e), Ernest Communications, Inc. hereby files its Certification of Customer Proprietary Network information (CPNI) and its supporting Statement for the year 2009. Please include this Certification in EB Docket No. 06-36.

Please contact me at 407-740-3006 or croesel@tminc.com if you have any questions about this filing.

Sincerely,

Carey Roesel
Consultant to Ernest Communications, Inc.

CR/gs
Enclosure

cc: Best Copy and Printing (FCC@BCPIWEB.COM)
Paul Masters – Ernest
file: Ernest – FCC CPNI
tms: FCCx1001

EB Docket 06-36

Attachments: Accompanying Statement explaining CPNI procedures

Attachment A
Statement of CPNI Procedures and Compliance

Statement of CPNI Procedures and Compliance

USE OF CPNI

Ernest Communications, Inc. does not use or permit access to CPNI to market any telecommunications or non-telecommunications services. Ernest Communications has trained its personnel not to use CPNI for marketing purposes. Should Ernest elect to use CPNI in future marketing efforts, it will follow the applicable rules set forth in 47 CFR Subpart U, including, if necessary, the institution of operational procedures to ensure that notification is provided and customer approval is obtained before CPNI is used or disclosed.

PROTECTION OF CPNI

Ernest Communications has put into place processes to safeguard its customers' CPNI from improper use or disclosure by employees; and to discover and protect against attempts by third parties to gain unauthorized access to customer CPNI. Most employees do not have access to CPNI at all. They can only pass on requests for CPNI or CPNI-related information to upper management. All CPNI information is stored locally by the company with no outside access allowed to others.

Although it has never occurred, Ernest Communications will maintain a record of all instances where CPNI was disclosed or provided to third parties, or where third parties where allowed access to CPNI.

DISCLOSURE OF CALL DETAIL OVER PHONE

The company does not disclose CPNI over the telephone in response to a customer-initiated telephone inquiry, unless the customer can provide the call detail information that is the subject of the inquiry without the assistance of a customer service representative. If it elects to do so in the future, it will follow the applicable rules set forth in 47 CFR Subpart U, including the implementation of authentication procedures that do not require the use of readily available biographical information or account information and customer notification of account changes.

Company has put into place procedures to notify customers whenever an address of record is created or changed without revealing the changed information or sending the notification to the new account information. Customers are notified via mail to the address of record.

DISCLOSURE OF CPNI ONLINE

Company does not disclose CPNI on-line. If it elects to do so in the future, it will follow the applicable rules set forth in 47 CFR Subpart U, including the implementation of authentication procedures that do not require the use of readily available biographical information or account information and customer notification of account changes.

DISCLOSURE OF CPNI AT RETAIL LOCATIONS

Ernest Communications does not disclose CPNI at any retail locations.

NOTIFICATION TO LAW ENFORCEMENT

Company has in place procedures to notify law enforcement in the event of a breach of customers' CPNI and to ensure that customers are not notified of the breach before the time period set forth in the FCC's rules, or, if applicable, when so authorized by law enforcement.

Although it has never occurred Ernest Communications will maintain written records of all breaches discovered and notifications made to the USSS and the FBI, and to customers.

ACTIONS AGAINST DATA BROKERS

Company has not taken any actions against data brokers in the last year.

CUSTOMER COMPLAINTS ABOUT CPNI BREACHES

Company did not receive any customer complaints about the unauthorized release of CPNI or the unauthorized disclosure of CPNI in calendar year 2009.

INFORMATION ABOUT PRETEXTERS

Company has not developed any information with respect to the processes pretexters are using to attempt to access CPNI but does take aggressive steps to protect CPNI.